

REMARKS/ARGUMENTS

The Office Action mailed June 15, 2006 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

In the specification, paragraph 16 has been amended to correct a minor editorial problem. No new matter has been added.

Claims 1, 5-12, 16-19, 21, 22, 25, 29-32, 34 and 35 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, paragraphs 1, 2, 6, 8, 9, 11, 15, 21, 23, 25, and FIGs. 5-8 . The text of Claims 2-4, 13-15, 20, 23-24, 26-28, 33, 36, and 37 is unchanged, but their meaning is changed because they depend from amended claims.

With this amendment it is respectfully submitted the claims satisfy the statutory requirements.

The 35 U.S.C. § 112, Second Paragraph Rejection

Claims 1, 6-8, 10, 11, 17-19, 21, 22, 30-32, 34 and 35 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.¹ This objection is respectfully traversed.

Claims 1, 6-8, 10, 11, 17-19, 21, 22, 30-32, 34 and 35 have been amended. With this amendment it is respectfully submitted the claims satisfy the statutory requirements.

The 35 U.S.C. § 102 Rejection

Claims 1-38 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Guyer et al.,² among which claims 1, 12, 25, and 38 are independent claims.³ This rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). *See also*, M.P.E.P. §2131.

¹ Office Action dated June 15, 2006, ¶¶ 2-3.

² U.S. Patent No. 6,583,989

³ Office Action ¶ 5.

Specifically, the Office Action contends that Guyer et al. teaches an electronic device comprising: a first volume bounded by a first face (rear face of 29); a second volume (volume 59) bounded by a second face (rear face of 59); the second face indented from the first face; a plurality of electronic components housed in the first volume; one or more power supplies housed in the second volume; and the electronic components operable to be powered by a cord to the one or more of the plurality of power supplies, the cord running from the indented second face to the first face.⁴

Applicants respectfully submit that Guyer et al. does not anticipate the presently claimed invention because Guyer et al. fails to disclose each and every element set forth in the claimed invention. Currently amended independent claim 1 of the present application recites in part:

the electronic components operable to be powered by a cord to the one or more of the plurality of power supplies, the cord running from the indented second face to the first face.

Currently amended independent claim 12 of the present application recites:

An enclosure for an electronic system comprising:
a first chassis, operable to enclose a plurality of electronic components, comprising:
a first face;
a second face opposite the first face;
a third face, wherein the plane of the third face is perpendicular to the planes of the first face and the second face;
electrical connections, for transferring electrical energy to any enclosed electronic components, **disposed through the first face**;
a second chassis, operable to enclose one or more power supplies, having a fourth face; and
wherein a portion of the fourth face is disposed in a plane that intersects the third face. (emphasis added).

⁴ Office Action ¶ 5.

Currently amended independent claim 25 of the present application recites:

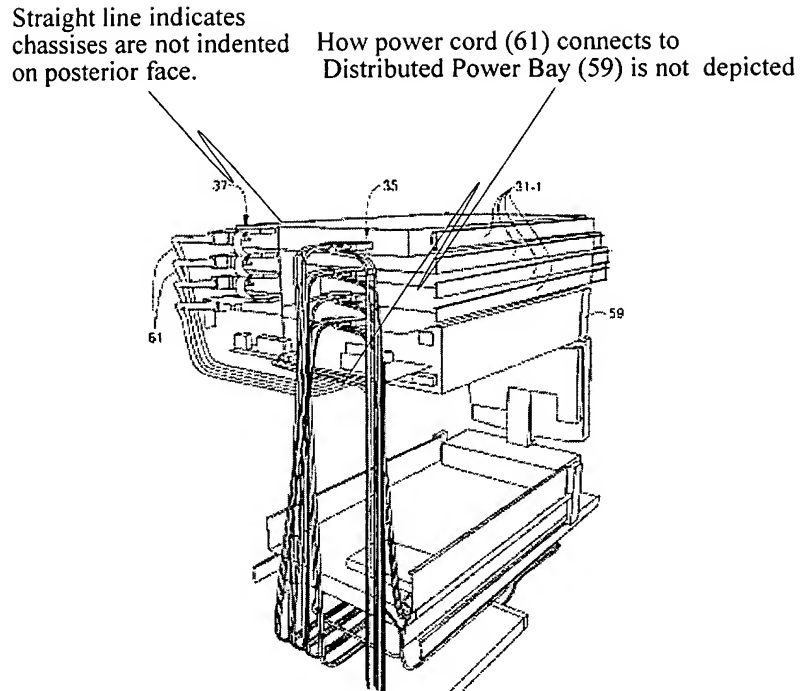
An enclosure for an electronic system comprising:
a first chassis operable to enclose a plurality of electronic components, the first chassis comprising a first face and a second face opposite the first face;
electrical connections, for transferring electrical energy to any enclosed electronic components, **disposed through the first face**;
a second chassis, operable to enclose one or more power supplies, comprising a third face; and
wherein the **third face and the first face define an indentation**, and the second chassis is indented from the first chassis. (emphasis added).

Independent claim 38 recites:

An enclosure for an electronic system comprising:
means for enclosing a plurality of electronic components, defined by a first face and a second face opposite the first face;
means for making **electrical connections disposed through the first face**;
means for enclosing one or more power supplies, defined at least in part by a third face;
and
wherein the **third face and the first face define an indentation**. (emphasis added).

The Office Action specifically cites figure 4 of Guyer et al. as disclosing a second face indented from a first face, the cord running from the indented second face to the first face.⁵ Applicants respectfully disagree. As indicated in the figure below (an editorialized version of figure 4 of Guyer et al.), the first faces and second face are parallel and figure 4 does not indicate where the power cords (61) connect to the Distributed Power Bay.

⁵ Office Action ¶ 5.



Since Claims 1, 12, 25, and 38 all require that posterior faces of the houses be indented from each other and that the electrical connection be disposed through the posterior face, the rejection of Claims 1, 12, 25, and 38 under 35 U.S.C. § 102 is unsupported by the art of record.

As to dependent claims 2-11, 13-24, and 26-37, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.


If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID & PRIEST, LLP

Dated: 10/16/06


Theresa A. Takeuchi
Reg. No. 46,941

Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
Fax. (408) 287-8040